

Regular Session, 2012

HOUSE BILL NO. 300

BY REPRESENTATIVE LEGER

TAX/INCOME TAX: Authorizes the addition of a donation to the American Red Cross as a "check off" on the individual income tax return form

1 AN ACT

2 To enact Subpart DD of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana
3 Revised Statutes of 1950, to be comprised of R.S.47:120.106, relative to state
4 individual income tax return checkoffs for certain donations; to provide for a method
5 for individuals to donate all or a portion of any refund due to them to the American
6 Red Cross; to establish the American Red Cross Fund as a special escrow fund in the
7 state treasury; to provide for the administration and use of monies in the fund; to
8 authorize the secretary of the Department of Revenue to make certain deposits into
9 the fund; to provide for reporting; to provide for an effective date; and to provide for
10 related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. Subpart DD of Part 1 of Chapter 1 of Subtitle II of Title 47 of the
13 Louisiana Revised Statutes of 1950, comprised of R.S. 47:120.106, is hereby enacted to read
14 as follows:

15 SUBPART DD. Red Cross Checkoff Donation

16 §120.106. Income tax checkoff; donation for American Red Cross

17 A. Every individual who files an individual income tax return for the current
18 tax year and who is entitled to a refund may designate on his current year return that
19 all or any portion of the total amount of the refund to which he is entitled shall be
20 donated to the American Red Cross in lieu of that amount being paid to him as a

1 refund. In this case the refund shall be reduced by the amount so designated. The
 2 designation shall be made at the time of filing the current year tax return and shall
 3 be made upon the income tax return form as prescribed by the secretary of the
 4 Department of Revenue. No donation made under the provisions of this Subpart
 5 shall be invalid for want of an authentic act.

6 B. There is hereby established in the state treasury a special escrow fund to
 7 be known as the American Red Cross Fund, hereinafter referred to as the "fund".
 8 The fund is established to receive deposits of donations made on individual income
 9 tax returns for the benefit of the American Red Cross. The fund shall be
 10 administered by the state treasurer, who shall every three months, remit the
 11 remaining balance of monies in the fund to the American Red Cross.

12 C. The House Committee on Ways and Means, may, at its discretion, request
 13 a report from the American Red Cross relative to its operations. The form and
 14 content of the report shall be prescribed by the chairman of the committee, but shall
 15 at a minimum contain a detailed explanation of the revenues and expenditures, as
 16 well as a description of the organization's activities. The committee may summon
 17 any person employed by or associated with the American Red Cross to provide
 18 testimony with respect to the report.

19 Section 2. The provisions of this Act shall be effective for taxable years beginning
 20 on or after January 1, 2012.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Leger

HB No. 300

Abstract: Provides for an individual income tax checkoff for donations to the American Red Cross.

Proposed law provides for an income tax checkoff under which an individual can donate all or a portion of his state income tax refund to the American Red Cross in lieu of that amount being paid as a refund.

Proposed law establishes the American Red Cross Fund, "fund", as a special escrow fund in the state treasury, which is established to receive deposits related to donations made on

tax returns for the benefit of the American Red Cross, and shall be administered by the treasurer. The treasurer shall remit the remaining balance of monies in the fund to the American Red Cross every three months.

Proposed law authorizes the House Committee on Ways and Means, at its discretion, to request reports from the American Red Cross relative to its operations. The form and content of the report shall be prescribed by the chairman of the committee, but shall at a minimum contain a detailed explanation of the revenues and expenditures, as well as a description of the organization's activities.

Effective for taxable years beginning on or after Jan. 1, 2012.

(Adds 47:120.106)